

**Notice of Allowability**

Application No.

09/652,730

Examiner

Christopher Onuaku

Applicant(s)

BOYLE ET AL.

Art Unit

2621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response to February 27, 2006 office action.
2. ☒ The allowed claim(s) is/are 1-19&21-30 (now renumbered 1-29, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

7 ☒ The drawings filed on 8/31/00 are objected to by the Examiner.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 3/15/06; 3/20/06 &
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-19&21-30 are allowable over the prior art of record.
2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to information storage and display systems that record information relating to video programming, including an electronic program guide processing device which is connectable to a set-top box configured to receive electronic program guide information.

The closest references Mendelsohn (US 6,771,886) discloses a method and apparatus for controlling a content recording apparatus, including utilizing user availability criteria to determine whether content should be recorded on a recording device, and Lawler et al (US 5,699,107) teach a system for informing a user of an interactive viewing system that a selected program is available for viewing and a system for allowing a user to select a future program for later reminding.

However, Mandelsohn and Lawler et al fail to explicitly disclose a digital video recorder connectable to a set-top box configured to receive electronic program guide information and broadcast audiovisual data, the set-top box including at least one auxiliary interface that supports communication between the digital video recorder and the set-top box, where the digital video recorder comprises a microprocessor configured

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to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem connected to the recorder interface to receive the electronic program guide information from the set-top box and to process the electronic program guide information to schedule recording the broadcast audiovisual data on the storage device.

Regarding claim 19, the invention relates to information storage and display systems that record information relating to video programming, including an electronic program guide processing device which is connectable to a set-top box configured to receive electronic program guide information.

The closest references Mendelsohn (US 6,771,886) discloses a method and apparatus for controlling a content recording apparatus, including utilizing user availability criteria to determine whether content should be recorded on a recording device, and Lawler et al (US 5,699,107) teach a system for informing a user of an interactive viewing system that a selected program is available for viewing and a system for allowing a user to select a future program for later reminding.

However, Mandelsohn and Lawler et al fail to explicitly disclose a digital video recorder connectable to a set-top box configured to receive electronic program guide information, the set-top box including at least one auxiliary interface that supports communication between the digital video recorder and the set-top box, where the digital video recorder comprises a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program

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guide subsystem connected to the device interface to receive and process the electronic program guide information from the set-top box .

Regarding claim 22, the invention relates to information storage and display systems that record information relating to video programming, including an electronic program guide processing device which is connectable to a set-top box configured to receive electronic program guide information.

The closest references Mendelsohn (US 6,771,886) discloses a method and apparatus for controlling a content recording apparatus, including utilizing user availability criteria to determine whether content should be recorded on a recording device, and Lawler et al (US 5,699,107) teach a system for informing a user of an interactive viewing system that a selected program is available for viewing and a system for allowing a user to select a future program for later reminding.

However, Mandelsohn and Lawler et al fail to explicitly disclose a method for communicating electronic program guide information from a set-top box configured to receive the electronic program guide information to a digital video recorder comprising a video output interface connectable to a display device and a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem, where the method further comprises communicating the electronic program guide information from the set-top box to the electronic program guide subsystem.

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**Conclusion**


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



6/30/06.



James J. Groody  
Supervisory Patent Examiner  
Art Unit 262 2621